



PHIL BREDESEN
GOVERNOR

STATE OF TENNESSEE
DEPARTMENT OF EDUCATION
6th FLOOR, ANDREW JOHNSON TOWER
710 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243-0375

BRUCE OPIE
COMMISSIONER

December 10, 2010

Dr. Thelma Meléndez de Santa Ana, Assistant Secretary
Office of Elementary and Secondary Education (OESE)
Headquarters - LBJ Education Building
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary Meléndez de Santa Ana:

Tennessee is requesting to exercise the natural disaster provisions of the Elementary and Secondary Education Act of 1965, Sections 1111(b)(3)(A), 1111(b)(3)(C)(vii) and 1116(a)(1)(A) for two school districts. These two districts, Cheatham County and Houston County, were unable to fully administer state-wide assessments due to extreme flooding during May of 2010, the assessment window for Tennessee's state accountability assessment (TCAP). Each district had a secondary school to close and not able to reopen during the assessment window or the remainder of the 2009-2010 school year.

As Tennessee has other school districts in counties declared disaster areas by the Governor, we request to apply the same natural disaster provision for these districts if appropriate requests are made by these systems.

Appeals have been received for the two school districts mentioned above requesting consideration of their unique circumstances as we finalize Adequate Yearly Progress (AYP) determinations. Due to the circumstances preventing full assessment administration, we do not have assessment results to determine AYP status for the 2010-2011 school year. As Tennessee's Education Commissioner, I am formally requesting approval to delay, for a period not to exceed one year, implementation of the requirements of the status to which these schools would be assigned if failing AYP under normal assessment conditions.

As we are finalizing our AYP information for public release, I request an immediate response to Tennessee's request to exercise the NCLB natural disasters provisions as defined in this letter.

Thank you for your thoughtful consideration of this request. If you have further questions, or need of further evidence, please contact Dr. Debbie Owens at Debbie.Owens@tn.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "B. Opie".

Bruce Opie

BO/JS/DO:bc

c: Debbie Owens, Chief Officer, Division of LEA Support and Improvement